

| <b>REQUEST<br/>FOR<br/>CONTINUED EXAMINATION (RCE)<br/>TRANSMITTAL</b><br><br>Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,<br>provides for continued examination of an utility or plant application<br>filed on or after June 8, 1995.<br>See The American Inventors Protection Act of 1999 (AIPA). | Application Number   | 10/646,810      | <b>MAR 1 2007</b> |
|---|----------------------|-----------------|-------------------|
|   | Filing Date          | August 25, 2003 |                   |
|   | First Named Inventor | Naoki IMACHI    |                   |
|   | Group Art Unit       | 1745            |                   |
|   | Examiner Name        | Helen O. Chu    |                   |
|   | Attorney Docket No.  | SNY-039         |                   |

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

**Note:** C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission Required under 37 C.F.R. §1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_  
(any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_


**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103 (c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 111833
- i. ☐ RCE fee required under 37 C.F.R. §1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other Required Additional Fees
- b. ☐ Check in the amount of \$\*00 enclosed
- c. ☒ Payment by credit card in the amount of \$1,120.00 (\$790.00 RCE fee & \$330.00 Extension of Time fee) (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |   |                                   |                |
|-------------------|---|-----------------------------------|----------------|
| Name (Print/Type) | Ronald J. Kubovcik  | Registration No. (Attorney/Agent) | 25,401         |
| Signature         |  | Date                              | March 19, 2007 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with the sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

|                   |   |      |                |
|-------------------|---|------|----------------|
| Name (Print/Type) | Ronald J. Kubovcik  | Date | March 19, 2007 |
| Signature         |  | Date | March 19, 2007 |

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